

Message Text

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ACTION EB-08

INFO OCT-01 EUR-12 IO-13 ISO-00 FEA-01 AGRE-00 CEA-01
CIAE-00 COME-00 DODE-00 FRB-03 H-01 INR-07 INT-05
L-03 LAB-04 NSAE-00 NSC-05 PA-01 AID-05 CIEP-01 SS-15
STR-04 ITC-01 TRSE-00 PRS-01 SP-02 OMB-01 NSCE-00
SSO-00 USIE-00 INRE-00 AF-08 ARA-06 EA-07 NEA-10
(ISO) W

-----250958Z 034653 /20

O R 250855Z JAN 77

FM USMISSION GENEVA

TO SECSTATE WASHDC IMMEDIATE 4714

INFO USMISSION EC BRUSSELS

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PASS STR FOR MIKE SMITH

E.O. 11652: N/A

TAGS: GATT, ETRD

SUBJECT: TEXTILES: EC MEMORANDUM TO TSB ON PHASEOUTS

REF: SMITH-PHELAN TELECON JAN 24

1. EC HAS ADDRESSED MEMORANDUM DATED JAN 20 TO TSB
INFORMING THAT ALL RESIDUAL RESTRICTIONS APPLIED TO
EXPORTING COUNTRIES WITH WHICH EC HAS BILATERAL AGREEMENTS
WERE ELIMINATED ON 1-1-77 OR WILL BE ELIMINATED BY 2-1-77
WITH FOLLOWING EXCEPTIONS WHICH ARE TO BE ELIMINATED ON
3-31-77: FOR UK - COTTON YARNS FROM HONG KONG, INDIA
AND PAKISTAN; MENS AND BOYS, WOMENS, GIRLS AND INFANTS
WOVEN OUTERGARMENTS OF COTTON FROM INDIA AND
PAKISTAN; HANDKERCHIEFS FROM KOREA; MENS AND BOYS SHIRTS
OF COTTON FROM PAKISTAN; AND FOR FRANCE: T SHIRTS AND
THE LIKE FROM PAKISTAN; AND, SACKS AND BAGS OF WOVEN
POLYOLEFIN FABRIC.

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2. MEMORANDUM ASSERTS, HOWEVER, EC RESERVING RIGHT,
WITH RESPECT TO THE PRODUCTS LISTED ABOVE TO BE DE-
RESTRICTED ON 3-31-77 "TO SEEK CONSULTATIONS BEFORE
3-31-77 WITH SUPPLYING COUNTRIES CONCERNED WITH
REGARD TO FUTURE ARRANGEMENTS AFTER 4-1-77". EC REPS HAVE
PRIVATELY STATED IT WAS EC INTENT TAKE ARTICLE 3

ACTION ON ALL THESE PRODUCTS ON 4-1-77. IT SHOULD BE FURTHER NOTED THAT, OF ALL PRODUCTS SUBJECTED TO RESIDUAL RESTRICTIONS BY EC, PRODUCTS LISTED FOR 3-31-77 PHASEOUT (AND TO BE SUBJECTED TO ART 3 ACTION ON 4-1-77) ARE ONLY ONES OF MAJOR TRADE INTEREST TO EXPORTING COUNTRIES CONCERNED.

3. ASIDE FROM DISAPPOINTMENT WHICH CERTAIN ARISE FROM EC "RESERVATION" MENTIONED ABOVE, MEMORANDUM CONTAINS PARAGRAPH PURE MEYNELLIAN PROSE ATTACKING INTEGRITY OF TSB IN DEALING WITH EC PHASEOUTS. AFTER RECEIVING EC MEMORANDUM MORNING JAN 24, TSB CHAIRMAN DEFERRED MORNING TSB SESSION UNTIL AFTERNOON IN ORDER REQUEST EC SUPPRESS OFFENDING PARAGRAPH WHICH EC DECLINED TO DO. TSB NOW LEFT WITH NO ALTERNATIVE BUT TO OPENLY SET RECORD STRAIGHT WITHOUT REGARD TO CERTAIN EMBARRASSMENT TO THOSE EC COMMISSION OFFICIALS CONCERNED WITH EC TEXTILE PROGRAM.

4. TEXT OF OFFENDING PARAGRAPH IS AS FOLLOWS: QUOTE:
(2.) BEFORE SEALING WITH THE SUBSTANCE OF THE T.S.B.'S REQUEST, THE T.S.B.'S ATTENTION IS DRAWN TO THE REPEATEDLY EXPRESSED CONCERN OF THE COMMUNITY REGARDING THE MANNER IN WHICH THAT BODY HAS DISCHARGED ITS RESPONSIBILITIES IN THIS IMPORTANT MATTER. IT IS CONSIDERED , IN PARTICULAR, THAT THE T.S.B. HAS FAILED EITHER TO MAINTAIN A BALANCED APPROACH TO THE APPRECIATION OF THE COMMUNITY'S PROGRAMME, OR TO TAKE INTO ACCOUNT THE FACT THAT THIS COMPLEMENTS, BOTH LIMITED OFFICIAL USE

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LOGICALLY AND LEGALLY, THE COMMUNITY'S SELECTIVE APPROACH TO THE PRODUCT - AND COUNTRY - COVERAGE OF ITS BILATERAL AGREEMENTS UNDER ARTICLE 4. IT IS ALSO A MATTER OF CONCERN THAT, IN NOT A SINGLE INSTANCE, HAS THE T.S.B.'S "OPINION" THAT A PARTICULAR ACTION IS "NOT IN CONFORMITY" WITH THE ARRANGEMENT BEEN SUPPORTED BY COGENT LEGAL REASONING. IN THE LIGHT OF THESE CONSIDERATIONS AND TAKING INTO ACCOUNT THE LEGAL ARGUMENTS PRESENTED BY THE COMMUNITY BEFORE THE T.S.B., THE COMMUNITY REJECTS AS WHOLLY UNFOUNDED THE T.S.B.'S "OPINIONS" ON THE CONFORMITY OF THE COMMUNITY'S ACTIONS UNDER ARTICLE 2 OF THE MFA. THE COMMUNITY RESERVES ALL ITS LEGAL RIGHTS IN THIS MATTER, BOTH UNDER THE MFA AND OTHER INTERNATIONAL INSTRUMENTS. UNQUOTE

5. US REP SILL REPORT DEVELOPMENTS AS THEY OCCUR. CATTO

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Message Attributes

Automatic Decaptioning: X
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Current Classification: UNCLASSIFIED
Concepts: COMMUNIQUE, EXPORT CONTROLS
Control Number: n/a
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Sent Date: 25-Jan-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
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Secure: OPEN
Status: NATIVE
Subject: TEXTILES: EC MEMORANDUM TO TSB ON PHASEOUTS
TAGS: ETRD, GATT
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vdkgvwkey: odbc://SAS/SAS.dbo.SAS_Docs/d8799ed1-c288-dd11-92da-001cc4696bcc
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